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**Rules of  
Department of Social Services  
Division 30—Child Support Enforcement  
Chapter 6—Credit Reporting**

<b>Title</b>	<b>Page</b>
<b>13 CSR 30-6.010</b> Reporting of Child Support Debts to Consumer Reporting Agencies .....	<b>3</b>

## Title 13—DEPARTMENT OF SOCIAL SERVICES

### Division 30—Child Support Enforcement Chapter 6—Credit Reporting

#### 13 CSR 30-6.010 Reporting of Child Support Debts to Consumer Reporting Agencies

*PURPOSE: The purpose of this rule is to establish procedures where a consumer reporting agency may request debt information from the Division of Child Support Enforcement (DCSE). It also contains procedures for DCSE to report an absent parent who has an arrearage of \$1000 or more to consumer reporting agencies. This rule references 13 CSR 30-7.010, regarding procedures where an absent parent, whose debt is to be reported to a consumer reporting agency, may request and receive an administrative hearing regarding the report. The information given to consumer reporting agencies will be used to update individual consumer records.*

#### (1) Definitions. As used in this regulation—

(A) Consumer reporting agency (CRA), or a credit bureau, is any person, corporation, association, partnership or other entity which, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages in assembling and/or evaluating consumer credit information or other information on consumers for the purpose of furnishing credit reports to third parties and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports;

(B) Division means the Missouri Division of Child Support Enforcement (DCSE) and its employees;

(C) Arrearage means an amount of money owed for past-due, child support, spousal support or a state debt arising from Aid to Families with Dependent Children (AFDC), which includes, but is not limited to, a cash grant, funds expended for medical services and alternative care payments; and

(D) Noncustodial parent is the obligor who is ordered to pay support by a court or administrative authority.

#### (2) Division (IV-D) Responsibilities.

##### (A) If a noncustodial parent.

1. Is at least two (2) months delinquent in the payment of support and the arrearage is one thousand dollars (\$1,000) or more, the division shall periodically report to consumer reporting agencies a noncustodial parent's name and other identifying information specified in subsection (2)(D) and may

continue to do so after the arrearage is less than one thousand dollars (\$1000); or

2. Has an arrearage of one thousand dollars (1,000) or more and is not two (2) months delinquent in the payment of support, the division may periodically report to consumer reporting agencies the noncustodial parent's name and other identifying information specified in subsection (2)(D), and may continue to do so after the arrearage is less than one thousand dollars (\$1,000).

(B) A CRA may request information on a noncustodial parent from the division. The request must always be in writing, signed by a CRA's managerial officer and sent to the division at its main office address contained in 13 CSR 30-1.010. The officer must possess authority to make the request and that authority must be cited in the request. If the noncustodial parent already has been referred to a CRA, the division must provide the information within a reasonable time. If a referral has never been made to a CRA, and the noncustodial parent is at least two (2) months delinquent in the payment of support, the division must send advance notice to the parent as provided in subsection (2)(C), prior to providing the CRA with the requested information.

(C) Prior to the referral to a CRA under subsection (2)(A) or (2)(B), the division must provide notice to the noncustodial parent consisting of the arrearage information the division intends to give the CRA and the noncustodial parent's right to contest the accuracy of that information. The advance notice to the noncustodial parent will be sent by first class mail. The advance notice must contain—a statement that the division intends to report the noncustodial parent's arrearage to one (1) or more CRAs; the date the CRA(s) will be sent the arrearage information; the arrearage amount as calculated by the division; identifying information specified in subsection (2)(D); a statement that the noncustodial parent may contest the arrearage amount by requesting an administrative hearing within twenty (20) calendar days after the notice is mailed; and the name, address and telephone number of the person from whom the noncustodial parent can request a hearing. The division shall not refer a noncustodial parent's name and other identifying information to a CRA under this rule while a request for hearing made under 13 CSR 30-7.010(7) is pending.

(D) The division will generate monthly in an electronic format to each CRA, a file of all noncustodial parents meeting the criteria under subsection (2)(A). The file shall include, but not be limited to, the noncustodial parent's name, Social Security number, current arrearage figure, and other identifying

information as determined necessary by the division.

(E) Notwithstanding the provisions of subsections (2)(A) and (2)(B) to the contrary, the division shall not make information available to—

1. A consumer reporting agency which the division determines does not have sufficient capability to systematically and timely make accurate use of such information; or

2. An entity which has not furnished evidence satisfactory to the division that the entity is a consumer reporting agency.

#### (3) CRA Responsibilities.

(A) Each CRA must agree to the following provisions. The CRA must develop a computer program which will allow the division's electronic information to be entered in its records in a systematic and timely manner, agree to use information provided by the division in a lawful manner and safeguard information received from the division in accordance with federal and state confidentiality requirements.

(4) Fees. The division shall not charge the credit bureau a fee.

#### (5) Interim Contacts.

(A) A noncustodial parent may seek to contest arrearage figures on file with a CRA. If the noncustodial parent contacts the division, s/he must do so in writing and clearly state the grounds on which the arrearage figure is being contested. An administrative hearing will not be held, but the division must review the case and respond to the noncustodial parent within sixty (60) calendar days of the written request.

(B) If the arrearage figure does change, the CRA will be notified on the next monthly electronic file listing. If the CRA representative contacts the division to verify the accuracy of information which is disputed by the (NCP), the division will then review the case for accuracy in the same manner as if contacted directly by the noncustodial parent.

*Auth: section 454.400, RSMo (1994).\**  
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*\*Original authority 1982, amended 1985, 1986, 1990, 1993.*